

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 02419

Docket No. 1:13-md-2419-RWZ

This document relates to:

Handy v. Box Hill Surgery Center, LLC, et al.
No: 1:14-cv-14019-RWZ

Armetta v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14022-RWZ

Torbeck v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14023-RWZ

Kashi v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14026-RWZ

Bowman v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14028-RWZ

Dreich v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14029-RWZ

Davis v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14033-RWZ

Farthing v. Box Hill Surgery Center, LLC, et al.
No. 1:14-cv-14036-RWZ

**ORDER REGARDING DEFENDANTS BOX HILL SURGERY CENTER, LLC,
RITU T. BHAMBHANI, M.D., AND RITU T. BHAMBHANI, M.D., LLC'S
MOTIONS TO DISMISS**

UPON CONSIDERATION of Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC's Motion to Dismiss the claims in the above-captioned actions, any supportive memoranda, oppositions, replies, and oral arguments, it is hereby this day of , 2015, ORDERED that:

- (1) Defendants' Motion to Dismiss as to claims for strict liability by relevant Plaintiffs in the above-referenced cases and any case subsequently filed against these Defendants is hereby GRANTED and the same claims are DISMISSED;
- (2) Defendants' Motion to Dismiss as to claims for violations of the Maryland Consumer Protection Act by relevant Plaintiffs in the above-referenced cases and any case subsequently filed against these Defendants is hereby GRANTED and the same claims are DISMISSED;
- (3) Defendants' Motion to Dismiss as to claims for violations of Massachusetts consumer protection statutes by relevant Plaintiffs in the above-referenced cases and any case subsequently filed against these Defendants is hereby GRANTED and the same claims are DISMISSED; and
- (4) Defendants' Motion to Dismiss as to claims for punitive damages by relevant Plaintiffs in the above-referenced cases and any case subsequently filed against these Defendants is hereby GRANTED and the same claims are DISMISSED;

IT IS SO ORDERED.

The Honorable Rya Zobel
U.S. District Court, District of Massachusetts

cc: Patricia Kasputys
Sharon Houston
Michael Coren
Gregory K. Kirby